

**IN THE UNITED STATES  
BANKRUPTCY COURT FOR THE DISTRICT  
OF PUERTO RICO**

IN RE:

CASE NO.: 11-03710  
CHAPTER 13

ARTURO VAZQUEZ BAILLY

DEBTOR

**MOTION FOR CONTINUATION OF THE AUTOMATIC STAY IN CASE  
FILED AFTER PRIOR DISMISSAL WITHIN ONE YEAR OF FILING**

TO HONORABLE COURT:

COMES NOW DEBTOR, through the undersigned attorney and respectfully STATES, ALLEGES AND PRAYS:

1. The Debtor notifies all Creditors and Parties in interest and hereby moves this Court, pursuant to § 362(c)(3)(B), for an order continuing the automatic stay provided under § 362(a) as to all creditors. In support of this motion the Debtor states as follows.
2. The Debtor filed a petition under chapter 13 on April 30<sup>th</sup>, 2011.
3. The Debtor had previously filed a chapter 13 case on February 6<sup>th</sup>, 2010 which was dismissed on January 4<sup>th</sup>, 2011.
4. The Debtor has special circumstances and changes that will allow him to complete his new chapter 13 plan.
5. The Debtor's case was dismissed because he was unemployed and he was in arrears with his post petition mortgage payments and the Chapter 13 plan payments. Debtor is working again and is receiving a new monthly income and he will continue with the mortgage post petition payments and the chapters 13 plan payments.

6. The petition in this case has been filed in good faith. The Debtor believes that the chapter 13 plan he has submitted will be confirmed and that he will be able to fully perform under the terms of the plan.

7. The Debtor's prior chapter 13 case, dismissed on January 4<sup>th</sup>, 2011 was the only previous case by the Debtor that was pending during the preceding year.

WHEREFORE, the Debtor requests that this Honorable Court continue the automatic stay under section 362(a) as to *all* Creditors for the duration of this chapter 13 proceeding, or until such time *as* the stay is terminated under § 362(c)(1) or (c)(2), or a motion for relief is granted under § 362(d).

RESPECTFULLY SUBMITTED.

***NOTICE***

**"Parties in interest are hereby granted fourteen (14) days from the date of this notice and request a hearing. If no opposition is filed within the prescribed period of time the Court will enter an order granting the motion upon the filing of a certificate by the movant that adequate notice was given. Should an opposition be timely filed the Court will schedule the motion for a hearing as contested matter. Absent good cause, untimely rejection shall be denied.**

I HEREBY CERTIFY: That a copy of this motion has been served to the Chapter 13 Trustee, through CM/ECF and to all creditors and parties in interest as per master address list

RESPECTFULLY SUBMITTED.

In San Juan Puerto Rico, this 30<sup>th</sup> day of April 2011.

**/S/ WILBERT LOPEZ MORENO**

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